

Panaji, 28th June, 1990 (Ashada 7, 1912)

SERIES I No. 13

OFFICIAL



GAZETTE

## GOVERNMENT OF GOA

Department of Personnel

## Notification

1-47 (2)/76-PER (Vol. II)

In exercise of the powers conferred by the proviso to article 309 of the Constitution, the Governor of Goa is pleased to make the following rules amending the Government of Goa, Directorate of Agriculture, Group 'C', Non-Ministerial, Non-Gazetted posts, Recruitment Rules, 1989, issued under Notification No. 1-47 (2)/76-PER (Vol. II) dated the 10th August, 1989 published in the Official Gazette, Series I, No. 28 dated 12-10-1989, namely:—

1. *Short title and commencement.* — i) These rules may be called the Government of Goa, Directorate of Agriculture, Group 'C', Non-Ministerial, Non-Gazetted posts, Recruitment (First Amendment) Rules, 1990.

(ii) They shall come into force at once.

2. In the schedule attached to the said Notification in column 11, the following entry may be deleted:—

"and Junior Chemist in the Office of Registrar of Cooperative Societies with 5 years regular service in the grade".

By order and in the name of the Governor of Goa.

A. V. Pimenta, Under Secretary (Personnel).

Panaji, 12th June, 1990.

Law (Legal and Legislative Affairs) Department

## Notification

7-13-88/LA

The Goa Prevention of Defacement of Property Act, 1988 (Goa Act No. 5 of 1990) which has been passed by the Legislative Assembly of Goa on 21-3-1988 and assented to by the President of India on 31-5-1990, is hereby published for the general information of the public.

P. V. Kadnekar, Under Secretary (Drafting).

Panaji, 14th June, 1990.

The Goa Prevention of Defacement of Property Act 1988

(Goa Act No. 5 of 1990)

AN

ACT

*to provide for the prevention of defacement of property and for matters connected therewith or incidental thereto.*

Be it enacted by the Legislative Assembly of Goa in the Thirty-ninth Year of the Republic of India as follows:—

1. *Short title, extent and commencement.* — (1) This Act may be called the Goa Prevention of Defacement of Property Act, 1988.

(2) It extends to the whole of the State of Goa.

(3) It shall come into force on such date as the Government may by notification in the Official Gazette, appoint.

2. *Definitions.* — In this Act, unless the context otherwise requires, —

(a) 'Government' means the Government of the State of Goa;

(b) 'Collector' means the Collector of the North and South Districts of Goa and includes any officer appointed by the Government to exercise and perform all or any of the powers and functions of a Collector under this Act;

(c) 'defacement' includes impairing or interfering with the appearance or beauty, damaging, disfiguring, spoiling or injuring in any way whatsoever and the word "deface" shall be construed accordingly;

(d) 'Official Gazette' means the Goa Government Gazette;

(e) 'Notification' means notification published in the Official Gazette;

(f) 'property' includes any building, hut, monument, statue, water pipe line, public road, structure, wall including compound wall, tree, fence, post, pole or any other erection except at specified places;

(g) 'public view' means anything which is visible to public while they are in or passing along any public place;

(h) 'public place' means any place (including a road, street or way whether a thoroughfare or not and a landing place) to which the public are granted access or have a right to resort or over which they have a right to pass;

(i) 'writing' includes decoration, lettering, ornamentation, etc., produced by stencil.

3. *Penalty for defacement of property.*—(1) Whoever defaces any property in public view by defacing or spitting or urinating or pasting pamphlets, posters or writing or marking with ink, chalk, paint or any other material or method except for the purpose of indicating the name and address of the owner or occupier of such property, shall be punishable with imprisonment for a term which may extend to six months or with fine which may extend to one thousand rupees or with both.

(2) Where any offence committed under sub-section (1) is for the benefit of some other person or a company or other body corporate or an association of persons (whether incorporated or not) then, such other person and every president, chairman, director, partner, manager, secretary, agent or any other officer or person concerned with the management thereof, as the case may be, shall, unless he proves that the offence was committed without his knowledge or consent, be deemed to be guilty of such offence.

4. *Punishment for attempt to commit offences.*—Whoever attempts to commit any offence punishable under this Act or to cause such offence to be committed and in such attempt does any act towards the commission of the offence, shall be punishable with the punishment provided for the offence.

5. *Punishment for abettors.*—Any person who by the supply of or solicitation for money, the providing of premises, the supply of materials or in any manner whatsoever, procures, counsels, aids, abets or is accessory to, the commission of any offence under this Act shall be punished with the punishments provided for the offence.

6. *Offence to be cognizable.*—An offence punishable under this Act shall be cognizable.

7. *Power of the Collector to erase writing, etc.*—Without prejudice to the provisions of section 3, it shall be competent for the Collector to take such steps as may be necessary for erasing any writing, freeing any defacement or removing any mark from any property.

8. *Indemnity.*—No suit, prosecution or other legal proceedings shall lie against the Government, any local authority or person for anything which is in good faith or in public interest done or intended to be done under this Act.

9. *Act to override other laws.*—The provisions of this Act shall have effect notwithstanding anything to the contrary contained in any other law for the time being in force.

Secretariat Annexe,  
Panaji.

Dated: 15-6-1990.

B. S. SUBBANNA  
Secretary to the Government  
of Goa, Law Department  
(Legal Affairs)

Law (Establishment) Department  
Office of the Chief Electoral Officer

### Notification

3-1-87/ELEC

The following Notification No. 56/89(9), dated 24th January, 1990 issued by Election Commission of India, New Delhi is hereby published for general information.

B. S. Subbanna, Law Secretary/Addl. Chief Electoral Officer.

Panaji, 1st February, 1990.

Election Commission of India  
New Delhi

Dated the 24 January, 1990

Magha 4, 1911 (Saka).

### Notification

No. 56/89-(9).—WHEREAS on an application made to it for recognition by the 'Bahujan Samaj Party', a registered un-recognised party, the Election Commission of India is satisfied that as a result of said party's poll performance at the General Election to the House of the People, 1989, from the State of Punjab, the said party is entitled for recognition as a State Party in the State of Punjab in terms of Paragraph 6 of the Election Symbols (Reservation and Allotment) Order, 1968;

AND WHEREAS the Election Commission has decided to recognise the 'Bahujan Samaj Party' as a State Party in the State of Punjab and to reserve the symbol 'Elephant' for the said party in that State;

AND WHEREAS on an application made to it by the 'Plains Tribals Council of Assam', a recognised State Party in the State of Assam for the change of its reserved symbol 'Cultivator cutting crop' to "Rising Sun", the Election Commission of India is satisfied and has decided to change said party's reserved symbol to 'Rising Sun';

AND WHEREAS the following organisations namely—

1. Bhartiya Krantikari Swatantra Jan Parishad
2. Bira Oriya Party
3. Pichchadavarg Samaj Party
4. Chattisgarh Mukti Morcha
5. Tamilaga Janata
6. Akhil Bhartiya Socialist Party

7. Bhartiya Backward Party
8. Akhil Bhartiya Janhit Jagriti Party
9. Bhartiya Sangathit Nagrik Party
10. Rashtriya Pragtisheel Morcha
11. Akhil Bhartiya Revolutionary Shoshit Samaj Dal
12. Insaf Party
13. Poorvanchal Rashtriya Congress
14. Yuva Vikas Party

have made applications under Section 29A of the Representation of the People Act, 1951, for their registration;

AND WHEREAS in view of the General Elections to the Legislative Assemblies of certain States and Union Territories due to be held in February, 1990, sufficient time is not available to the Commission to give an opportunity to the representatives of the said fourteen parties to present their respective cases in person before the Commission in terms of sub-section (7) of the said Section 29A;

AND WHEREAS the Commission has decided, in exercise to its powers under Article 324 of the Constitution of India and all other powers enabling it in that behalf, that the said fourteen parties, whose applications are being processed, shall be deemed to be political parties registered under said Section 29A and has accordingly, granted provisional registration to them for the limited purpose of contesting General/Bye-elections due to be held in February, 1990;

AND WHEREAS on a request made by the Chief Electoral Officer, Orissa, the Commission has decided to include seven additional symbols in the list of free symbols in the State of Orissa;

NOW, THEREFORE, in pursuance of clauses (b), (c) and (d) of sub-para (1) and sub-para (2) of Paragraph 17 of the Election Symbols (Reservation and Allotment) Order, 1968, the Election Commission of India hereby makes the following amendments in its notification No. 56/89, dated 23rd October, 1989 published as O.N. 162 (E), in the Gazette of India, Extraordinary, Part II, Section 3 (iii), dated the 26th October, 1989, and as amended from time to time, namely —

(i) In Table II of the said notification:

- (a) under columns (2) and (3), against entry 'Punjab', the entries '3. Bahujan Samaj Party' ..... 'Elephant'

**SHALL BE ADDED;**

- (b) under column (3) entry 'Cultivator cutting Crop', appearing against entry 'Assam ..... 2. Plains Tribals Council of Assam'.

**SHALL BE SUBSTITUTED** by the entry

'Rising Sun';

(ii) In Table III of the said notification:

- (a) the entries under columns 1 and 2 '59. Bahujan Samaj Party ..... New Delhi-110005' **SHALL BE DELETED**, and the remaining entries from 60 to 248 shall be re-numbered to read as 59 to 247 respectively;

- (b) under columns 1 and 2 the following entries **SHALL BE ADDED** at the end;

- |   |  |
|---|--|
| 248. Bhartiya Krantika-<br>ri Swatantra Jan<br>Parishad       | Dholipal — 335064<br>District Sri Ganga-<br>nagar (Rajasthan).   |
| 249. Bira Oriya Party   | C/o. Sh. P. Samanta-<br>ray, IAS (Retd.)<br>At/PO: Madhupat-<br>na, Cuttack - 10,<br>Orissa.                               |
| 250. Pichchadavarg Sa-<br>maj Party                           | 27/12 Nath T. T. Na-<br>gar, Bhopal,<br>Madhya Pradesh.  |
| 251. Chattisgarh Mukti<br>Morcha                              | P. O. Dalli Rajhara,<br>District Durg,<br>Madhya Pradesh,<br>Pin - 491 228.  |
| 252. Tamilaga Janata  | 17/1, 2nd Street, East<br>Abiramapuram,<br>Madras - 4.   |
| 253. Akhil Bhartiya So-<br>cialist Party                      | Sitamarhi Court Dum-<br>ra, District Sita-<br>marhi, Bihar.  |
| 254. Bhartiya Back-<br>ward Party                             | 71, Surya Apartment,<br>Fraser Road,<br>Patna - 800 001.<br>Bihar.   |
| 255. Akhil Bhartiya<br>Janhit Jagriti<br>Party                | N-208 (25 yard),<br>Raghbir Nagar,<br>New Delhi.   |
| 256. Bhartiya Sangat-<br>hit Nagrik Party                     | B-3-B/38A,<br>Janak Puri,<br>New Delhi - 58.   |
| 257. Rashtriya Prag-<br>tisheel Morcha                        | Behind Irwin Hospital,<br>Navagam Ghed,<br>Jamnagar,<br>Gujarat.   |
| 258. Akhil Bhartiya Re-<br>volutionary Sho-<br>shit Samaj Dal | Vaishali Nagar,<br>Sidheshwar Ves,<br>At & Post Latur,<br>Tq. Latur,<br>Pincode 413 512<br>District Latur,<br>Maharashtra. |
| 259. Insaf Party  | 14, Janpath,<br>New Delhi - 110001.  |
| 260. Poorvanchal Rash-<br>triya Congress                      | 5158/XV Mahalaxmi<br>Bldg. Behind Rama-<br>krishna Mission,<br>Paharganj Lane,<br>New Delhi - 110 055.                     |
| 261. Yuva Vikas Party   | 11/12, Ishwar<br>Krupa Society,<br>Trikam Nagar - 2,<br>Lambe Hanuman,<br>Road, Surat - 6,<br>Gujarat.                     |

(iii) In Table IV of the said notification:

(a) against number 2. Assam, under column 2, the entry '13. Rising Sun' **SHALL BE DELETED** and the remaining entries from 14 to 19 shall be *re-numbered* as 13 to 18;

(b) against number 15. Orissa, under column 2, the following entries **SHALL BE ADDED**;

"20. Ship

21. Deer

22. Peacock

23. Flaming Torch

24. Cultivator Winnowing Grain

25. Goat

26. A Woman Carrying Basket on her head"

(c) against number 16. Punjab, under column 2, the entry '7. Elephant' **SHALL BE DELETED** and the remaining entries from 8 to 50 shall be *re-numbered* as 7 to 49 respectively.

By order,  
(K. P. G. KUTTY)  
Secretary.